REMARKS

This Amendment responds to the Office Action February 15, 2011 in which the Examiner rejected claims 1-4, 6-12, 14-15 and 17 under 35 U.S.C. § 102 (e) and rejected claims 19-21 under 35 U.S.C. § 103.

As indicated above, claims 1, 9 and 17 have been amended in order to make explicit what is implicit in the claims. The amendment is unrelated to a statutory requirement for patentability and broadens the scope of the claims.

Claim 1 claims a reproduction controlling apparatus, claim 9 claims a reproduction controlling method and claim 17 claims a non-transitory computer readable medium storing a computer program for reproduction control. The apparatus, method and program include (a) receiving a selected user input of plural user inputs according to operation by a user, (b) generating auxiliary information based on first and second event notices, (c) comparing or computing reproduction position information indicated by the auxiliary information with reproduction position information indicated by a later received second event notice and (d) issuing a command for controlling the reproduction operation of the content based upon the selected user input and automatically adjusting the reproduction operation of the content different from the command associated with the selected user input based upon the result of the comparison or the computation.

By (a) issuing a command for controlling the reproduction operation of content based upon a selected user input, and (b) automatically adjusting the reproduction operation of the content different from the command associated with the selected user input based upon the result of the comparison or computation, as claimed in claims 1, 9 and 17, the claimed invention provides an apparatus, method and program which can implement a variety of reproduction

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functions for each pre-set command. The prior art does not show, teach or suggest the invention as claimed in claims 1, 9 and 17.

Claims 1-4, 6-12, 14-15 and 17 were rejected under 35 U.S.C. § 102 (e) as being anticipated by *Kawamura, et al.* (U.S. Publication No. 2002/0044757).

Kawamura, et al. merely discloses in response to user input, controller 2120 issues a control signal to drive control circuit 2106 to initiate a reproduction operation. Drive control circuit 2106 drives pickup 2104 by means of tracking servo circuit 2102 to a position on the information carrier 1922 selected by the user [0174].

Thus, *Kawamura, et al.* only discloses initiating reproduction based on user input. Nothing in *Kawamura, et al.* shows, teaches or suggests automatically adjusting the reproduction operation of the content different from the command associated with the selected user input based upon a result of comparison or computation as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses a controller issuing a control signal to initiate a reproduction operation in response to user input.

Additionally, *Kawamura, et al.* appears to disclose path information indicates one or more versions of video information sections to be reproduced in a linked fashion, the path information being indicative of sections to be reproduced consecutively. The path information indicates a path of linked sections, so that a next section can be sought rapidly once the end of a section has been reached. As a result, a substantially continuous reproduction of a selective version of a video program is possible [0015].

Thus, *Kawamura, et al.* only discloses path information linking sections so that a selective version of a video can be continuously reproduced. Nothing in *Kawamura, et al.* shows, teaches or suggests issuing a command for controlling the reproduction operation of the

contents based upon a selected user input and adjusting the reproduction operation of the
contents <u>different from the command associated with the selected user input</u> based on a result of
a comparison or computation of reproduction position information as claimed in claims 1, 9 and
17. Rather, *Kawamura, et al.* only discloses that the path information indicates the path of linked
sections, but does <u>not</u> show, teach or suggest adjusting reproduction different from the selected
user input based on a result of comparison or computation of reproduction position information.

Also, *Kawamura, et al.* only discloses a first means for recovering the picture information
and control means for selectively reproducing the video program in response to the control
information, where the control information comprises path information indicative of one or more
versions of the video information selections to be reproduced in a linked fashion consecutively
[0026].

Thus, *Kawamura, et al.* only discloses path information for consecutive reproduction.
Nothing in *Kawamura, et al.* shows, teaches or suggests adjusting the reproduction operation of
content <u>different from a command associated with the selected user input</u> based on a result of a
comparison or computation as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only
discloses path information for one or more versions of a video.

Furthermore, *Kawamura, et al.* merely discloses an apparatus that allows a user to select
among plural recorded versions of a work version for reproduction that is consistent with the
user's preferences [0035]. A method for displaying one of a plurality of versions of a program
recorded on an information carrier is provided. The method includes steps of displaying to a
user rating information regarding at least two of the versions of the program, receiving from the
user a selection of one of the versions and reproducing from the information carrier the selected
version for display to the user [0037].

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Thus, *Kawamura, et al.* only discloses a user selecting a version of a video to be reproduced. Nothing in *Kawamura, et al.* shows, teaches or suggests adjusting the reproduction operation different from the command associated with the selected user input based on the results of a comparison or computation as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses reproducing the version of the video selected by the user.

Finally, *Kawamura, et al.* merely discloses a Table stating for each available path, a list of initial and final addresses, a last entry point, a play time and a final system time of each track. A user can then jump directly to a specific track of a specific program [0117].

Thus, *Kawamura, et al.* only discloses a user can jump directly to a specific track of a specific program based on a Table. Nothing in *Kawamura, et al.* shows, teaches or suggests adjusting the reproduction operation of the content different from the command associated with the selected user input based on a result of a comparison or computation as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses that the user can jump directly to a specific track of a specific program based on a Table.

Since nothing in *Kawamura, et al.* shows, teaches or suggests adjusting the reproduction operation of the content different from the command associated with the selected user input based on the result of a comparison or computation as claimed in claims 1, 9 and 17, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 9 and 17 under 35 U.S.C. § 102 (e).

Claims 2-4, 6-8, 10-12, 14-15 recite additional features. Applicants respectfully submit that claims 2-4, 6-8, 10-12, 14-15 would not have been anticipated by *Kawamura, et al.* within the meaning of 35 U.S.C. § 102 (e) at least for the reasons as set forth above. Therefore,

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Applicants respectfully request the Examiner withdraws the rejection to claims 2-4, 6-8, 10-12 and 14-15 under 35 U.S.C. § 102 (e).

Claims 19-21 were rejected under 35 U.S.C. § 103 as being unpatentable over *Kawamura, et al.* in view of *Lamkin, et al.* (U.S. Patent No. 7,178,106).

Applicants respectfully traverse the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicants respectfully request the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in *Kawamura, et al.* shows, teaches or suggests the primary features as claimed in claims 1, 9 and 17, Applicants respectfully submit that the combination of the primary reference with the secondary reference to *Lamkin, et al.* will not overcome the deficiencies of the primary reference. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 19-21 under 35 U.S.C. § 103.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicants respectfully request the Examiner enters this Amendment for purposes of appeal.

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CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

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Respectfully submitted,

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Date: <u>April 13, 2011</u>   By: _____
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